

7/21/03
COPY FOR REISSUE

Docket No.: 12093/837

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/624,757

Inventor(s) : MARDON et al.
Assignee : Framatome ANP
Serial Number : To be assigned
Filed : Herewith
U.S. Patent No. : 5,940,464
Issued : August 17, 1999
For : TUBE FOR A NUCLEAR FUEL ASSEMBLY,
AND METHOD FOR MAKING SAME
Examiner : To be assigned
Art Unit : To be assigned

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTIFICATION OF CONCURRENT PROCEEDINGS/PETITION UNDER RULE
182 TO MERGE THE PROCEEDINGS OR, IN THE ALTERNATIVE, TO STAY
ONE PROCEEDING BECAUSE OF THE OTHER**

SIR:

The Patent Owner hereby notifies the Commissioner that a reexamination of the above-identified patent, assigned Reexamination Control No. 90/005,589, is currently pending in the Patent Office. The current status of this reexamination is that it is on Appeal. The Patent Owner also respectfully petitions the Commissioner to either (1) merge this reexamination with the reissue application filed concurrently herewith or (2) stay the reexamination in favor of the reissue application. The justification for such a merger or stay is to avoid any inconsistent outcomes in these proceedings that may result if they are allowed to proceed independently of one another. In particular, the Patent Owner seeks, via the reissue proceeding, to amend claim 1 according to an amendment that was denied entry in the concurrent reexamination proceeding. Therefore, the potential for inconsistent results in

these proceedings due to the overlap between the issues raised in them warrants the merger or stay that the Patent Owner seeks.

The Commissioner is authorized to charge the \$130.00 petition fee under Rule 17(h) and any other fee that may be required to Deposit Account No. 11-0600. A duplicate of this Transmittal is enclosed.

Respectfully submitted,

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